

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12-17-09

COSCO BULK CARRIER CO. LTD.

Plaintiff-Appellant,

v.

MONJASA A/S,

Defendant-Appellee.

08 cv 9001 (VM)

**ORDER DIRECTING RELEASE OF
FUNDS FROM COURT REGISTRY**

WHEREAS, Plaintiff commenced this action seeking security pursuant to Supplemental Admiralty Rule B and attached certain funds in the form of electronic funds transfers; and

WHEREAS, by Order dated March 27, 2009 this Court directed garnishees to transfer all attached funds to the Court Registry; and

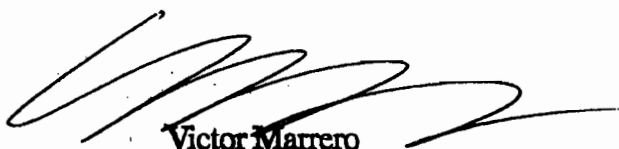
WHEREAS, according to the Court's finance clerk's records, certain garnishees transferred \$374,987.87 into the Court Registry (the "Funds") pursuant to this Order; and

WHEREAS, by Order and Judgment dated November 25, 2009 the Court vacated the order of attachment issued in this matter and directed that the action be dismissed; and

WHEREAS, the Court's stay of execution upon this Order and Judgment has now expired;

NOW THEREFORE, the Clerk of Court is directed to release all funds currently being held in the Court Registry in respect of this matter, including but not limited to the Funds and any interest accrued thereon, if any, pursuant to the written instructions of Defendant's counsel, Messrs. Blank Rome LLP.

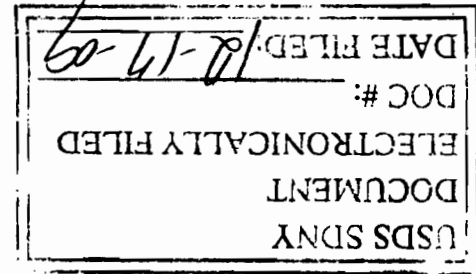
So Ordered: December 17, 2009


Victor Marrero
U.S.D.J.

BLANK

ROME LLP
COUNSELORS AT LAW

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December 17, 2009

BY FACSIMILE (212) 805-6382

Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007-1581

Re: Cosco Bulk Carrier Co. Ltd. v. Monjasa A/S
S.D.N.Y. No. 08 Civ. 9001 (VM)
Our Ref. No.: 130916-00601

Dear Judge Marrero:

We represent defendant Monjasa A/S in the above-referenced matter. By Order and Judgment dated November 25, 2009, this Court vacated the Rule B maritime attachments in this matter and dismissed the action. The Order and Judgment were stayed for twenty days, which period has now expired. Plaintiff applied to the Second Circuit for a stay pending appeal; however, that motion was also denied.

At present, we understand from the Court's Finance Clerk that \$374,987.87 of the attached funds are presently being held in the Court Registry. They advise, however, that they will not release the funds without a specific order from the Court directing them to do so. In the circumstances, we respectfully request that the Court sign the attached Order directing the Court Finance Clerk to disburse the funds being held in this matter pursuant to the undersigned's written instructions.

Respectfully submitted,

Thomas H. Belknap, Jr.

THB:aea
Enclosure

Cc: Michael Unger, Esq.

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